IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

MONDAY, THE 30TH JULY 2007 / 8TH SRAVANA 1929

WP(C).No. 17442 of 2007(B)

PETITIONER:

C.P.MURALEEDHARAN, JUNIOR SUPERINTENDENT
III CIRCLE, COMMERCIAL TAXES OFFICE,
JAVAHAR NAGAR SALES TAX COMPLEX, CALICUT.

BY ADV. SRI.V.RAJENDRAN

RESPONDENTS:

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1. COMMISSIONER OF COMMERICAL TAXES,
THIRUVANANTHAPURAM.

2. THE DEPARTMENTAL PROMOTION COMMITTEE(L),
DEPARTMENT OF COMMERCIAL TAXES REPRESENTED BY
ITS CONVENOR, THIRUVANANTHAPURAM.

3. STATE OF KERALA REPRESENTED BY THE
SECRETARY TO GOVERNMENT, DEPARTMENT OF
COMMERCIAL TAXES, THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SRI. BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 30/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.BALAKRISHNAN NAIR, J.

W.P.(C) No.17442 of 2007-B

Dated this the 30th day of July, 2007.

J U D G M E N T

The petitioner is aggrieved by the supersession in the matter of promotion to the post of Sales Tax Officers, as per Ext.P2 proposal. The petitioner submitted Ext.P3 reply. So far, no final decision on Ext.P3 appears to have been taken, it is submitted. He has been served with Ext.P4 memo of charges, by the Commissioner, Commercial Taxes. He has filed Ext.P5 explanation. Thereafter, this writ petition is filed, seeking a direction to the convener of the Departmental Promotion Committee to include him in the select list and to drop further proceedings proposed under Ext.P4.

2. The first respondent has filed a statement stating that Ext.P3 representation has been considered and rejected. It is also submitted that the Government are taking steps to issue charge memo to the petitioner and complete the disciplinary proceedings.

3. If the DPC list is published without including the petitioner, he is free to work out his remedy against it. The disciplinary proceedings initiated against the petitioner shall be finalised by the competent authority among the respondents, as expeditiously as possible, preferably within four months from the date of receipt of a copy of this judgment.

The Writ Petition is disposed of as above.

K.BALAKRISHNAN NAIR,
JUDGE.

MS